

ORIGINAL

1 Benjamin L. DeMoux
2 Assistant Attorney General
3 Office of the Attorney General-Civil Division
4 2nd Floor, Juan A. Sablan Memorial Bldg.
5 Caller Box 10007
6 Saipan, MP 96950
Telephone: 664-2341
Fax: 664-2349
bendemoux@gmail.com
On behalf of the Office of the Attorney General

MAR 09 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

7 **IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

8 ROSARIO DLG KUMAGAI) CIVIL ACTION NO. 05-0037
9 Plaintiff,)
10 v.)
11)
12 PAMELA BROWN, a.k.a. PAMELA BROWN)
13 BLACKBURN, personally and in her official)
capacity as the Attorney General for the)
Commonwealth of the Northern Mariana Islands;)
14 FERMIN M. ATALIG, personally and in his)
official capacity as Secretary of Finance;)
15 COMMONWEALTH OF THE NORTHERN)
MARIANA ISLANDS; MARIA LOURDES)
16 SEMAN ADA, personally and in her official)
capacity as Executive Director for the)
Commonwealth Development Authority,)
17 COMMONWEALTH DEVELOPMENT)
AUTHORITY; BANK OF GUAM; and JOHN)
18 DOES ONE thru TEN.)
19)
20 Defendants.)
21)

) **STIPULATION AND (PROPOSED)
ORDER**

22 Pursuant to the Court's order of March 1, 2006, now comes plaintiff Rosario DLG
23 Kumagai, defendants Commonwealth Development Authority ("CDA") and Maria Lourdes
24 Seman Ada and the Office of the Attorney General, by and through counsel, and hereby
25 stipulate and agree as follows:

1 That the Office of the Attorney General will prepare a brief in the nature of an amicus
2 brief on the status of the Commonwealth Development Agency as it relates the CNMI
3 government. This brief shall be submitted to the Court and served on the parties no later than
4 March 22, 2006.

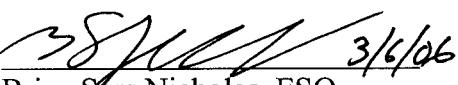
5 That CDA and Ms. Ada will jointly prepare an opening brief on the status of the
6 Commonwealth Development Agency as it relates the CNMI government. This brief is to be
7 submitted to the Court and served on the parties no later than March 29, 2006.

8 That Ms. Kumagai will prepare an opposing brief on the status of the Commonwealth
9 Development Agency as it relates the CNMI government. This brief is to be submitted to the
10 Court and served on the parties no later than April 13, 2006.

11 That CDA and Ms. Ada will jointly prepare a reply brief on the status of the
12 Commonwealth Development Agency as it relates the CNMI government. This brief is to be
13 submitted to the Court and served on the parties no later than April 19, 2006.

14 That a hearing on the matter will be held on May 11, 2006, or at such later date as the
15 Court shall find convenient. The form of the hearing is to be on a motion to dismiss and is to
16 concern all grounds on which CDA and Ms Ada seek dismissal. The Office of the Attorney
17 General will appear at the hearing but will not argue the matter, unless the Court so requests.

18 So Stipulated,

21  3/6/06
22 Brien Sers Nicholas, ESQ
Counsel for Rosario DLG Kumagai

1
2
3


4 Vicente T. Salas, ESQ.
5 Counsel for Commonwealth Development
6 Authority and Maria Lourdes Seman Ada
7
8
9

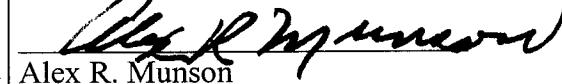
10
11
12


13 Benjamin L. DeMoux, ESQ. AAG
14 On Behalf of the Office of the Attorney General
15
16

17
18
19
20
ORDER

21 Upon consideration of the stipulation of both parties, and good cause shown, the
22 foregoing stipulation is hereby approved and the hearing on the motion to dismiss is now reset
23 ~~MAY 18, 2006 at 9:00 AM~~
24 to May 11, 2006 at 8:30 a.m./the 18th day of MAY, 2006 at 9:00 a.m./p.m.

25 **SO ORDERED**, this 9th day of March, 2006

26
27
28
29


30 Alex R. Munson
31 Judge
32
33
34

35
36
37
RECEIVED

38 MAR - 8 2006

39 Clark
40 District Court
41 For The Northern Mariana Islands